UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.329
6 April 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 329th MEETING

Held at Headquarters, New York,
on Tuesday, 28 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Introduction of the third and fourth periodic reports of Canada

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-80741 (E) 040698

The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Introduction of the third and fourth periodic reports of Canada (CEDAW/C/CAN/3) and (CEDAW/C/CAN/4)

1. At the invitation of the Chairperson, Ms. Bergeron de Villiers, Ms. Gavreau and Ms. Glen (Canada) took places at the Committee table.

2. Ms. BERGERON DE VILLIERS, introducing the third and fourth periodic reports of Canada (CEDAW/C/CAN/3) and (CEDAW/C/CAN/4), said that the Beijing Declaration and Platform for Action continued to underpin initiatives for advancing equality and accelerating the progress of women in Canada. In order to effectively respond to the new domestic and global socio-economic challenges which the country currently faced, arrangements between the federal and provincial and territorial governments were being reviewed through a social reform and renewal process that took account of the different impact of social programming on men and women.

3. Canada's national machinery for advancing women's equality played an important role in promoting the implementation in Canada of the Convention on the Elimination of All Forms of Discrimination against Women. An extensive network of non-governmental organizations also played an important role in providing community services for women and contributing their experience and expertise to the public policy process. Many of those organizations had participated in Canada's preparations for the Fourth World Conference on Women and were keenly interested in follow-up activities aimed at implementing the Platform for Action. Provincial and territorial jurisdictions also engaged in consultations with non-governmental organizations and the public in general in order to strengthen ties with the communities they served. Canada attached great importance to that kind of community involvement and social action and was determined to continue to build effective partnerships with all sectors of civil society in order to advance gender equality.

4. Her Government's approach to advancing gender equality was based on the recognition that gender was a factor in the nation's current social, economic, cultural and political systems and that the unequal status of women had its genesis in and was perpetuated by systemic causes. Treating women and men in identical ways would not ensure equality in outcomes because women and men experienced different social relations and living situations. The situation of women, moreover, was also affected by race, ethnicity, disability, indigenous status and income. In keeping with that approach, one of the most important components of the Federal Plan for Gender Equality was a requirement that federal departments and agencies conduct gender-based analysis of future policies and legislation in order to support gender-equality objectives. The provinces and territories were also involved in developing their respective activities to advance women's equality in many of the critical areas of concern outlined in the Platform for Action.

5. On the international front, Canada's efforts to advance equality and women's human rights were a reflection of the work that had been undertaken domestically. Her Government had continually promoted the mainstreaming of women's human rights and gender considerations in the work of international forums, including the United Nations, the Organization for Economic Cooperation and Development and the Commonwealth. It had also played a key role in bringing issues, such as violence against women, women's rights as human rights, national machinery for the advancement of women and women and decision-making, to the forefront of international discussions.

6. Turning to the legal framework, one of the main sources of protection against discrimination in Canada was the Canadian Charter of Rights and Freedoms, which guaranteed all Canadians equality before the law. Under the Charter, any person in Canada could challenge the legislation, policies and practices of federal or provincial and territorial governments if they were perceived to be discriminatory. The Charter had played a central role in shaping Canadian jurisprudence and had resulted in some significant practical advances for women. For example, the Supreme Court had held that the principles of fundamental justice dictated that the admission into evidence of a woman's sexual history, unless directly relevant to the person accused of sexually assaulting her, discriminated against the victim.

7. An important development in the area of women's legal rights was the reinstatement in 1994 of the Court Challenges Programme, which had played a vital role in providing financial assistance to enable individuals from official linguistic minorities and groups seeking equality to launch test cases under the Charter. Another advance in the area of equality rights was the addition in 1996 of sexual orientation as a prohibited ground of discrimination under the Canadian Human Rights Act. The amendment brought the Act into line with the provisions of the Canadian Charter of Rights and Freedoms and would help to ensure that gays and lesbians were afforded the same basic protection from discrimination as all other Canadians.

8. Canada had recently taken a number of initiatives to advance women's equality, particularly in the economic and social field. In order to promote the economic autonomy of women, a package of amendments to the Employment Equity Act had been adopted in October 1996 to ensure the fair representation of women, visible minorities, people with disabilities and aboriginal people throughout the workforce. The new legislation broadened the application of the Act to include the federal public service, federally regulated companies with more than 100 employees and companies doing business with the federal Government. In addition, it enlarged the mandate of the Canadian Human Rights Commission to monitor compliance under the Act and strengthened the compliance review process.

9. A child-support package was due to take effect in 1997 with the aim of establishing a fairer and more consistent child support system and enhancing the income supplements paid to lower-income families. Those changes, together with changes in the way in which the payments were taxed, would help to ensure greater economic security for women and children in different types of families. Given that most custodial parents in cases of divorce were women, those changes represented a significant advance for women.

10. Other initiatives included new employment insurance legislation that reflected the gender analysis undertaken on the basis of the Federal Plan for Gender Equality and the Beijing commitments; the ongoing improvement of statistics and indicators as a means of assessing the economic situation of women and of identifying obstacles; the promotion at the provincial and territorial levels of economic autonomy and equality for women through information sharing and skills development in the important areas of entrepreneurship and financial planning; and work in the area of measuring and valuing unpaid household work.

11. Another major Government priority was the elimination of systemic violence against women, which was a complex problem that had its roots in women's social and economic inequality and cut across all social, racial and economic boundaries. In recent years, the Government had undertaken extensive research to obtain a better understanding of the dimensions of violence against women in Canada and had adopted an approach to the problem that was both comprehensive and holistic. That approach involved both broad-based measures to improve women's economic autonomy and social equality and specific actions directed to the health, social and criminal justice systems as well as to schools and workplaces and to the creation of greater awareness among the public at large.

12. Federal initiatives included, for example, the establishment of emergency shelters and longer-term housing for battered women and their families and the introduction of a broad range of legislative measures to combat violence, including new restrictions on the ownership and use of firearms, measures to improve the effectiveness of restraining orders, and criminal prohibitions against stalking. Recently introduced legislation would amend the Criminal Code to allow the prosecution in Canada of Canadians who travelled abroad to sexually exploit children and would strengthen the penalties against those who exploited juvenile prostitutes in Canada. The legislation also expressly prohibited the practice of female genital mutilation in Canada.

13. A number of efforts had been made to bring about improvements in the lives of aboriginal women and break the cycle of dependency, lost productivity and increasing social expenditures that reflected the conditions of many of Canada's aboriginal communities. One such initiative was the establishment of the Royal Commission on Aboriginal Peoples, which had recommended that aboriginal women should be specifically included in any process to define the powers of aboriginal governments and should be assured of full and equal participation in decision-making bodies responsible for developing and implementing measures to ensure their physical and emotional security. The Commission had also recommended that aboriginal leaders should take a firm public stand in support of the right to freedom from violence for all community members, especially women, children, elders and the disabled. Other recommendations related to economic development, education and training, housing, health and family law. The Commission's report formed a significant body of work, and its wide range of recommendations would play an important role in informing public debate and policy making.

14. Attention was also being focused on the important area of women's health. Since women constituted the majority of both health care providers and health care consumers in Canada, it was vital that all levels of government should work

together to ensure that women in Canada continued to have access to appropriate health care services. One important initiative under that rubric was a five-year programme to establish five multidisciplinary centres across the country that would provide policy advice to Governments and health organizations and build networks of individuals and groups involved in women's health locally, nationally and internationally. Other initiatives were aimed at enhancing the health system's understanding of and responsiveness to women's health issues and at ensuring that women shared equally in the benefits of the development of new pharmaceutical products.

15. In the years ahead, her Government's priorities would be to enhance the economic autonomy of women and to eliminate systemic violence against women and children, thereby addressing two serious human rights problems currently faced by women in Canada. Many of the gains outlined in her report had been due to the collaborative efforts of a broad range of players from all sectors of Canadian society. Her Government believed that the continued commitment to such partnerships was the key to advancing the status of women in Canada.

16. Turning to the Committee's questions, which had been received in advance of the meeting, she declared that extensive intergovernmental consultation and collaboration had gone into the preparation of the responses. Those questions which related specifically to the provinces and territories had been answered to the extent possible, but a number of responses were still pending; they would be submitted as part of Canada's fifth periodic report. In responding to the questions asked, she would read selectively from the unofficial working report which had been made available to the Committee and refer members to the report and its related annexes for additional information.

17. The Canadian Multiculturalism Act acknowledged that people of many cultures had contributed to the country's development, and that all had a continuing role to play. The Government was working to identify and eliminate barriers and prejudice, the aim being to promote multiculturalism through encouragement rather than coercive measures. The Act underlined the commitment made in the Canadian Charter of Rights and Freedoms to promote equality.

18. The four-year initiative to provide employment and business opportunities for aboriginal women had been overseen by a national non-governmental organization comprising aboriginal women's associations. Further programmes were in hand, including procurement measures designed to increase the numbers of aboriginal businesses bidding for federal contracts.

19. The courts had determined that jurisdiction over human rights belonged to the level of government which regulated the activity in question. Roughly 11 per cent of the workforce came under federal jurisdiction, specifically the Canadian Human Rights Act; the rest was covered by provincial and territorial legislation providing similar protection. An overall review of the Human Rights Act was continuing.

20. The Federal Plan for Gender Equality contained strategic goals and commitments to the year 2000 and constituted the underpinning of the Government's implementation of the Beijing Platform for Action. The principal objective was the implementation of gender-based analysis in the work of the

federal Government in policy and legislative areas. Federal, provincial and territorial ministers responsible for the status of women worked in various areas of common interest, such as economic equality, and monitored implementation of the Platform for Action. Status of Women Canada monitored implementation of the Federal Plan and worked with other organizations for gender equality.

21. Free copies of the Convention and Canada's report were available to the public. Although only three non-governmental organizations had submitted comments on the third periodic report, it should be noted that one of them was the National Action Committee on the Status of Women, an umbrella organization representing some 500 women's organizations. The Government continued to consult with women's organizations on Convention-related issues.

22. The identification of obstacles at the federal level to the de facto advancement of women was being pursued through consultation on policy priorities with women's organizations. Many initiatives had built-in policy and programme reviews. The improvement of statistics and indicators also helped to assess the situation of women and identify obstacles. One example was the inclusion, in the 1996 census, of questions on unpaid work.

23. In Prince Edward Island there were no specific legislative measures to implement article 3 of the Convention other than the Pay Equity Act. Most senior political positions in the province had been held by women for some years, but political parties were concerned at the low number of women candidates now running for election. Women were also represented on the province's Supreme Court bench.

24. Legislation in the Northwest Territories prohibited discrimination on the basis of sex, and the Department of Justice investigated complaints. An affirmative action policy in the territory gave preference after aboriginal applicants, to women applying to non-traditional or management positions.

25. There was a new and strengthened Employment Equity Act, subject to parliamentary review every five years. Human Resources Development Canada monitored pay equity in federally regulated establishments.

26. In Nova Scotia, the provincial government agreement had had the most impact of the 33 affirmative action programmes. An updated policy was being launched, specifying the commitment to promote equality in the workplace for racially visible persons, persons with disabilities, and women; to ensure that designated groups were proportionally represented in all positions and at all levels of the Civil Service; and to remove barriers to the advancement of designated groups. All government departments would be required to formulate affirmative action plans and to document progress.

27. The Criminal Code made any involvement with child pornography an offence. Cases were prosecuted at the provincial level, since the enforcement of criminal law was under the jurisdiction of provincial attorneys-general.

28. There was no new legislation on obscenity. The Criminal Code made it illegal to deal in obscene materials, namely, works representing undue

exploitation of sex, a concept defined by the courts. The Supreme Court had recently held that any infringement of freedom of expression was justified in view of the harm to society otherwise. The importation into Canada of obscene materials and child pornography was prohibited.

29. With regard to the representation of women in decision-making positions in the mass media, a number of initiatives had been taken by Canadian Women in Communications, a national organization for the advancement of women in the communications industry.

30. With respect to the sexual abuse of children, the federal Government had introduced an Action Plan for Children which, inter alia, addressed the plight of victims of sexual and other abuse or neglect. Other measures had also been adopted to reduce child abuse and keep children from being placed at risk. There were no reliable longitudinal statistics on the sexual abuse of children.

31. There was no specific federal law to address domestic violence, but the federal Government had undertaken numerous legislative reforms to improve the criminal justice system's response. Specifically, a new offence of criminal harassment had been created to address stalking; the provisions governing peace bonds had been strengthened; the abuse of a spouse or child had been made an aggravating factor in sentencing provisions; and criminal harassment provisions had been strengthened. The federal Government was currently reassessing its approach to family violence in the context of a broader strategy to address violence in society, an issue on which federal, provincial and territorial authorities worked together.

32. In Nova Scotia, transition house services were available for aboriginal women suffering from family violence, as were information and referral services. Interpretation services were provided in transition houses. In the Yukon, family violence programmes were available to all women and girls.

33. The Government continued to implement a long-term, multidisciplinary approach to family violence, comprising a number of initiatives, including training for the police on violence in relationships. There was no single federal law on violence or violence against women, but the Government was committed to the eradication of all violence against women. As to whether violence against women was considered discrimination on the basis of sex, the Canadian Human Rights Act expressly prohibited sexual harassment as a form of discrimination. At the provincial level, the Nova Scotia Human Rights Act explicitly referred to sexual harassment, but did not restrict it to women.

34. Non-governmental organizations were generally involved in support activities for victims of sexual violence through shelters and centres, and provided other services to abused women and their children. They had been very active in developing strategies to end violence against women and children. The federal Government had given some financial support in that regard.

35. There were no reliable longitudinal statistics on violence against women. Most such crimes were not reported, but a 1993 survey had estimated that 29 per cent of Canadian women living with a man had been assaulted. Only 26 per cent of wife assault cases reported in that survey had been reported to

the police. Some 85,000 women and dependent children had been admitted to transition homes in 1994-1995.

36. Programmes had been undertaken in Newfoundland and other provinces aimed at giving girls and boys an equal start in terms of their development as individuals. Provincial authorities in Nova Scotia had conducted educational programmes to foster positive images of girls and women. In the Northwest Territories, a series of television advertisements had been produced on the issue of violence against women.

37. While Canadian sentencing statistics did not identify the gender of the victims of violent crimes, there were certain offences whose victims were primarily female, so that statistics for those offences revealed to some degree the sentences imposed on those who had committed violence against women. In 1995 female victims had accounted for 49 per cent of victims of violent crimes, 84 per cent of victims of sexual assault, and 46 per cent of victims of non-sexual assault. A significant percentage of those convicted of such offences had been incarcerated, ranging from 29 per cent in the case of non-sexual assault to 65 per cent in the case of sexual assault.

38. Prostitution itself was not illegal in Canada, but three categories of prostitution-related activities were illegal under the Criminal Code. The provisions were designed to prevent persons from being forced into a life of prostitution. Customers, as well as prostitutes, were subject to sanction. With regard to juvenile prostitution, all indictable offences had increased penalties where a prostitute was under 18 years of age.

39. The actual number of women and girls involved in prostitution was almost impossible to determine, but it appeared from Department of Justice research that the numbers of women on the street had increased recently, despite law enforcement efforts. In 1995 the average age of females communicating in public for the purpose of engaging in prostitution had been 28 years. A recent study suggested that most female street prostitutes had failed to complete high school and had limited job skills, and that most had criminal records. There was also evidence of increased crime against prostitutes, related in part to their reliance on drugs. It was not possible to state whether prostitutes were more prone to be victims of violence than other women. No information was available on the percentage of prostitutes who were immigrants, illegal or otherwise.

40. The Government recognized the importance of shelters and rehabilitation for prostitutes, and there was general acknowledgement of the need for substance abuse programmes and training and employment opportunities. Training for justice personnel and those working with prostitutes was also a priority. The provinces had responsibility for programme delivery.

41. With regard to the incidence of violence against prostitutes, she said that a recent study had revealed that physical and sexual assaults on prostitutes were commonly carried out by clients, pimps and boyfriends. In 1995, police reports had revealed that 4 in 10 incidents involving procuring had also involved at least one other criminal violation, and in almost half of such incidents, a sexual or other assault had been recorded. Known prostitutes had

represented 5 per cent of all female homicides reported between 1991 and 1995. Most such murders went unsolved.

42. The Criminal Code and the Canada Evidence Act had been amended in January 1988, and three new offences related to the sexual abuse of children established. The rules of evidence and procedure with respect to sexual offences and the testimony of young persons had also been changed, with a view to improving the protection of child sexual abuse victims and witnesses, increasing the successful prosecution of cases, easing the burden of testifying in court for young complainants and bringing sentencing in line with the severity of the offence. Implementation of the legislative reforms had been supported by the development of legal information for legal professionals and the public, project funding, research and a communications campaign. The Department of Justice had undertaken research to assess the impact of the new legislation, and had found, inter alia, an increase in the reporting of child sexual abuse cases to police, an increase in the number of charges brought by the police and a high rate of overall conviction.

43. Women's participation in politics had risen over the past decade: 18 per cent of members of the Parliament were women, and at provincial level, there were 133 women out of a total of 756. There were a number of possible reasons for this increase in representation, such as increases in women's post-secondary education and participation in the paid labour force. Lower fertility rates and/or improved sharing of family responsibilities could also be factors. Political parties had instituted a number of special measures to increase women's representation, and the 1990s had seen the election of the first woman prime minister, the first woman as head of a national political party, the first woman deputy prime minister and the first woman elected as premier.

44. Women continued to be under-represented on almost every court in Canada, and although there had been progress in recent years, the pace of change in appointments was modest. One possible reason for that was that many women, particularly those with family responsibilities, did not have the opportunity to gain the experience necessary in order to meet the criteria for appointment.

45. With regard to the findings of the study on the advancement of women in the civil service, she said that the publication of the Public Task Force Report on Barriers to Women in the Public Service in 1990 had led to the introduction of a wide range of measures in departments and agencies to attract, train and retain women at all levels and occupational groups in the public service, with a view to assisting employees in balancing work and family responsibilities. Such measures included the introduction of flexible hours, a variable work week and the ability to work at home.

46. In 1991, the Consultation Group on Employment Equity for Women had been established, in order to advise the Secretary of the Treasury Board Secretariat on matters related to the recruitment, retention and career development of women in the public service, and considerable progress had been made. As of June 1996, women represented 21.3 per cent of those at executive level. The Treasury Board Secretariat had, in November 1996, held a conference for

employees aspiring to enter senior ranks, and owing to demand, another was planned for March 1997.

47. Ms. GAVREAU (Canada) said that Canada's third periodic report had stated in paragraph 351 that progress in the representation of women in the public service in Quebec was irregular. That situation had changed during the period covered by the fourth periodic report, as shown in the statistics contained in annex I. The statistics did not, however, take all factors into account. Women with relatively little experience, especially those who had obtained posts through the affirmative action programme in the public service, had been the first to be affected by post cuts based on the number of years of experience. A record number of women had been appointed to high office in Quebec: in January 1997, women occupied 24 per cent of posts at deputy minister level.

48. Ms. BERGERON DE VILLIERS said that since February 1989, the Canadian forces had had a policy of permitting women to serve in all occupations of the military, with the exception of current submarines. That exception had been made because an adequate level of privacy could not be provided.

49. Women in the military did still experience problems, most of which could be dealt with through the normal chain of command. More complex issues were handled by a number of agencies, including two sections within the Directorate of Personnel Policy and the Minister's Advisory Board.

50. Women had represented 6 per cent of Canada's Gulf War contingent and 5 per cent of Canada's participation in Yugoslavia. Although the percentage of women in the military had steadily increased over the last 20 years, no studies had been carried out on the overall impact of their increased numbers. However, a number of positive changes had been made in overall personnel policy.

51. Heads of diplomatic missions were selected primarily from among senior career officers. To have reached that level, officers would normally have been in the Department for more than 20 years. Since fewer women had been recruited as junior officers in earlier years, women were still under-represented at senior levels, but that lack of balance in recruitment had been corrected, and more women would progressively become available to fill head-of-mission positions. There were currently 20 women among the 104 heads of diplomatic missions.

52. Recruitment for the Foreign Service was by means of an annual written examination for those meeting the basic requirements. On the basis of the results of that examination, a pool of candidates to be interviewed was established, and since 1995, it had been guaranteed that an equal number of male and female candidates would be interviewed. The most successful candidates were offered positions as Foreign Service Officers. Since 1993, women had represented 50 per cent of total foreign service recruitment. The number of appointments in any given year was determined by the vacancy rate, and the qualifications necessary and the recruitment method used was the same for men and women. Measures intended to address such issues as spousal employment and the educational needs of children were available to both men and women officers. Marriage by a male or female diplomat to a foreigner did not have career implications.

53. The need for a proportional gender representation was a key concern, factored into staffing decisions relative to vacancies in missions abroad and at headquarters. It was also a factor in the support of Canadian candidates for appointment to international organizations of which Canada was a member.

54. Statistics showed that women represented 30 per cent of overseas staff in Canada's development agencies, and that 54.5 per cent of them were married or in a common law union. No information was available on how women balanced work and family life.

55. The Canada Scholarships Programme had ended in 1995. Canada Student Loans had a Special Opportunities Grant for women doing doctoral studies in disciplines where women were traditionally under-represented. No data had yet been collected on that programme. The earnings of women holding a Ph.D. were equal to the earnings of similarly qualified men.

56. Rather than using specific policies to change the tendency of women to study in traditional women's fields, efforts had been directed to ensuring that women were able to make choices, without discrimination, to fulfil their own aspirations and potentials in all fields.

57. Ms. GAVREAU (Canada) said that the statistics for 1990 to 1994 in Quebec showed a slight decrease in the percentage of women studying in traditional women's fields, and a 5 per cent increase in the percentage of women gaining science qualifications. A much more significant increase, of nearly 100 per cent, had been seen in those qualifying in business management and commerce. In Quebec, the construction industry had historically been closed to women. Laws had been passed in 1995 to enable women to work in that industry.

58. Ms. BERGERON DE VILLIERS (Canada) said that new tax measures proposed in the 1996 federal budget, including eligibility for the child-care expense deduction and education credit, would provide additional assistance to women students.

59. With regard to literacy rates, she noted that women had scored slightly higher than men in one of the three categories of literacy developed by the 1994 International Adult Literacy Survey. A breakdown of literacy rates by region and gender was provided in the documentation.

60. Statistics for 1993 indicated an average drop-out rate of 14 per cent for women at secondary school level, compared to 22 per cent for men. Data for post-secondary education were not yet available.

61. The Nova Scotia Teachers' Union actively promoted the advancement of women through its Women's Committee, as did the organization Women in Education. The Deputy Minister of Education and Culture was a woman.

62. The Government of Canada had taken a number of measures in order to provide support to Canadians in need. It also recognized that long-term improvement for low-income families required people to have the skills necessary to feed into the job market of the future. Action was therefore being taken to help Canadians find and keep jobs.

63. The Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act provided women in the most vulnerable sectors with protection in a number of ways. Section 15 of the Charter covered issues of disadvantage, stereotyping and political powerlessness, and as a result the courts had held that sexual orientation and marital status were also covered by that section. Vulnerable groups of women, including aboriginal women and women with acquired immunodeficiency syndrome (AIDS), were protected against discrimination by the human rights legislation in every province and territory.

64. Efforts were being made to take into account the differing impact on women and men of the increased globalization of the economy. It was recognized that in the short term the effects of free trade agreements would be uneven, with some sectors benefiting more than others. However, such agreements were expected to boost the economy and bring more jobs and prosperity to all Canadians. Leaders of the 18 economies involved in the Asia Pacific Economic Cooperation Initiative had given instructions to encourage the full participation of women in that partnership.

65. No information was currently available on the effects of the downsizing of the public sector on women or men. The new employment insurance programme would include active labour market measures designed to help unemployed Canadians find new jobs. It was also intended to improve benefits for low-income families.

66. There had been a consistent increase in the number of women in the top six employment occupational groups since 1981. There was a majority of women in the professional and semi-professional occupational groups. The number of jobs defined as "non-traditional" occupations for women had been substantially reduced since 1981.

67. The Women's Division in the Department of Labour in Prince Edward Island had been reorganized in order to make the body more effective. The intention was to integrate gender analysis into the study of government policies and programmes.

68. According to the 1991 census, the labour force participation rate of immigrant women was lower than that of non-immigrant women. However, on average, immigrant women earned more than non-immigrant women. The Committee was referred to the highlights of the 1991 census results. Canada was committed to employment equity for all permanent residents and citizens. Since a lack of education or lack of knowledge of one of Canada's official languages could make it difficult to participate in the labour force, Canada's settlement programmes offered immigrants and refugees orientation, language training and assistance in accessing general public services. While the objective was to assist all newcomers, such programmes were designed to encourage women in particular to participate fully in Canadian society, without fear of discrimination. The rights and responsibilities of being a member of Canadian society, including women's rights, were important themes in all settlement programming and materials. Statistics were given in the documentation of the labour force participation rate of the Canadian-born and immigrants for 1991.

69. Canada was not currently suffering an economic recession. However, the importance of providing reasonable income protection to those raising families on a low income was recognized by the new employment insurance system.

70. In 1995, 7,410 Canadian men had taken advantage of the parental leave programme. In contrast, 158,510 women, or 95.5 per cent of total eligible parents, had taken advantage of that leave.

71. The Government provided support for low-income parents through a number of innovative projects, such as the project giving single parents on welfare an earnings supplement to leave welfare for full-time employment. Tools and support were provided for low-income parents, in order to enable them to make the transition from government-support systems to employment. Increased access to post-secondary education had been facilitated by the introduction of grants to students in need, such as single mothers.

72. The province of Nova Scotia operated a two-tier social assistance system. The Family Benefits Programme provided assistance to those whose need was likely to be prolonged. Single parents, 97.5 per cent of whom were female, made up 42 per cent of recipients. Assistance was also available at municipal level, at rates varying in accordance with the financial well-being of the towns. Such municipal assistance programmes were mostly of a temporary nature, and if a person required long-term assistance, a request for provincial assistance would be made. The Pharmacare programme covering drug prescription costs had been extended in 1994 to include single-parent recipients.

73. In 1991, the Economic Development for Canadian Aboriginal Women Incorporated (EDCAW) had been established, with a mandate to provide aboriginal women with better access and support in establishing economic and business opportunities. The intention was not to promote women's employment in non-traditional occupations, but rather to break down the barriers faced by aboriginal women seeking jobs. In March 1996, the Board of EDCAW had agreed that it had met its objectives, and it was closed. The Aboriginal Women's Programme, which had not been involved with EDCAW, continued to promote aboriginal women's development and participation.

74. In 1991, there were approximately 522,500 aboriginal women in Canada, constituting slightly more than half of the aboriginal population. Increasing numbers of them were pursuing post-secondary (13.3 per cent in 1991) or secondary (43 per cent) education, while over 26 per cent reported training in trades occupations. Approximately 66 per cent of students assisted under the Department of Indian Affairs and Northern Development's post-secondary education support programmes were Registered Indian women. Moreover, the total female aboriginal population had a labour-force participation rate of 57.2 per cent; they constituted 3.8 per cent of the total female population of Canada, but only 3.0 per cent of the female workforce. The 1991 Aboriginal Workforce Participation Initiative had resulted in increased aboriginal employment in the federal public service and other sectors, and efforts were being made to maintain a gender balance in access to component programmes of the Initiative.

75. The Canada Labour Code had been revised to reflect appropriate gender language. Efforts were being made in Canada to assure that language referring to women and men was used appropriately, accurately and clearly.

76. The Labour Code provided officers of the Department of Human Resources Development Canada (HRDC) with the power to investigate gender-based pay discrimination by federal-jurisdiction employers. In 1984, HRDC developed an Equal Pay Programme to change the way employers, unions and others viewed and valued "women's work", aimed at eliminating gender-based wage discrimination in employment within federal jurisdiction and monitoring employers' compliance with the law. Compliance verification procedures were strengthened in 1994 with the addition of a comprehensive audit process, and the Department was also working to increase the level of union involvement in equal pay issues. Significant progress had also been made in the federal public service in the implementation of pay equity; the Government was working with the Canadian Human Rights Commission and the unions to finalize a major revision in the valuation of federal public service work and to design a gender-neutral plan for that purpose.

77. Ms. GAVREAU (Canada) said that the principle of equal pay for equal work had been included in the Quebec Charter of Human Rights and Freedoms since the adoption of that document in 1975, but women continued to receive only 70 per cent of the average male salary for full-time work. The Salary Equity Act of 1996 was one measure put forward by Quebec to respond to the legitimate aspirations of those in "women's occupations" for true recognition of the value of their labour. The Salary Equity Commission administered the Act, and the Minister of Labour was responsible for its implementation.

78. Ms. BERGERON DE VILLIERS (Canada) said that sexual harassment had been expressly forbidden at the federal level under the Canadian Human Rights Act. In 1995, 54 complaints of sexual harassment had been filed under that Act. Moreover, sections of the Canada Labour Code required that all federally regulated private-sector employers must have a sexual harassment policy, which must be communicated to employees.

79. In 2001, a new system of retirement benefits would replace transfer payments to the elderly, and would include a new Seniors Benefit for low-income Canadians that would improve conditions for 90 per cent of elderly single women. In view of rising costs and changing demographic conditions, the federal, provincial and territorial governments were also reviewing options for reforming the Canada Pension Plan. In examining options for reform, the federal Government was taking into account the differential impact on women and men of potential policy changes.

80. The increasing number of women living alone, particularly elderly women, resulted largely from their having outlived their husbands. The Division of Aging and Seniors of the department of Health Canada addressed the needs of senior women in particular, providing advice, education, research and programming in partnership with other sectors.

81. No reliable data were available on participation in the "Language at Work" strategy. As a training programme, it would also be affected by the

Government's proposal to turn responsibility for federally funded employment measures over to provinces and territories.

82. Legal restrictions on abortion were removed in 1988. Every province and territory in Canada currently provided for insured coverage of medically necessary abortions, although access varied both within and among individual provinces.

83. To some extent, the drop in pregnancy rates at younger ages reflected women postponing pregnancy and childbirth to pursue education and employment. The increasing importance to household income of women's participation in the workforce, combined with the high costs of having children, the availability of birth control and access to maternal and other health care, contributed to many women's decisions to delay childbearing.

84. Following the 1993 report of the Royal Commission on New Reproductive Technologies and the declaration of an interim moratorium on a number of unacceptable practices, legislation had been introduced to prohibit 13 unacceptable uses of new reproductive and genetic technologies. Governments generally provided information about the purposes and methods of family planning, prevention of sexually transmitted diseases and the promotion of healthy sexuality. Such programmes also promoted research concerning sexual and reproductive health and sexually transmitted diseases. The Government was also developing a Framework for Sexual and Reproductive Health with input from provinces, territories and non-governmental organizations.

85. Through a variety of initiatives, Health Canada was collaborating with other federal departments, aboriginal associations and groups, the provinces and territories and non-governmental organizations to reduce the harm to women caused by alcohol and other drugs.

86. Suicide rates for females were 1.9 per 100,000 aged 10 to 14, 4.6 per 100,000 aged 15 to 19, 6.5 per 100,000 aged 20 to 44, and 7.9 per 100,000 aged 45 to 64. No data were available for those over age 65. There was no way to know whether or not a correlation existed between sexual exploitation and substance abuse or suicide. Rape, incest, and sexual abuse were under-reported, and victims of those crimes were not followed to determine the long-term impact on their lives.

87. The Court Challenges Programme was reinstated in 1993 and was currently funding challenges to federal laws or actions involving official language rights or equality rights guaranteed under the Canadian Charter of Rights and Freedoms. Funding for court challenges was also available to women's groups under the programme. Criminal and civil legal aid services were provided by provincial and territorial governments, with government financial assistance for the delivery of criminal legal aid services. Women used approximately 70 per cent of the civil legal aid certificates issued, and civil legal aid issues relative to the rights and protection of women were under discussion by the Department of Justice and women's groups. There did not appear to have been a backlash in Canada because of the equality guarantees of the Charter; rather, Charter jurisprudence appeared to have had a beneficial legal effect on women, and to have contributed to a more positive view of their status in society. Moreover,

three women had been appointed judges on the Supreme Court of Canada, one of whom had since retired.

88. The most important contributing factor to the high divorce rate of 1987 that followed the revised divorce legislation of 1986 was thought to have been that legislation's reduction of the period of separation (as a ground for divorce) to one year from three or five. Trends in divorce since that time had seen the rate stabilize in the 1990s at about 275 per 100,000 population.

89. While each jurisdiction (federal, provincial or territorial) was responsible for developing and implementing its own strategies for harmonizing work and family responsibilities, the federal Government had put in place a number of programmes and policies, including the Canada Assistance Plan, the First Nation-Inuit Child Care Initiative, the Improved Access to Child Care project, the Child Tax Benefit and the Working Income Supplement. The Canada Labour Code also had enhanced maternity and parental benefits, and the federal Government was providing funding for joint labour-management projects in the workplace in order to raise awareness of issues related to balancing the demands of work and family. Project results were widely disseminated to the business and labour communities.

90. Many policies supported the sharing of family responsibilities, and new information on the value and patterns of women's and men's paid and unpaid work was beginning to be used in policy-related research by Government and others.

91. "Setting the Stage for the Next Century: The Federal Plan for Gender Equality" was the federal Government's framework for implementing the Platform for Action of the Fourth World Conference on Women. It had committed all 24 federal departments and agencies to undertake a gender-based approach in developing government legislation and programmes. A manual had been developed to assist departments in implementing gender-based analysis, and specific departmental training was being developed. Provincial and territorial governments were also using the Platform for Action in the development of their own approaches to advancing women's equality, and non-governmental organizations had initiated a network to monitor implementation of the Platform throughout Canada. The introduction of gender-based analysis for policies and legislation was the key instrument for the integration of a gender approach for all government departments and agencies.

92. Processes and mechanisms for encouraging the participation of non-governmental organizations in the implementation and monitoring of the Platform for Action were being put in place by various government departments. For example, to ensure the incorporation of a gender perspective, women's non-governmental organizations were participating in the preparation of Canada's national report for the United Nations Conference on Human Settlements. The Department of Justice hosted a yearly consultation on violence against women, with representatives of more than 60 women's equality-seeking organizations.

93. Financial support was also being provided to non-governmental organizations by Status of Women Canada for various post-Beijing activities to sustain the momentum of the Fourth World Conference on Women. Status of Women Canada was the central agent for coordinating the implementation of the Federal Plan for

Gender Equality. The Canadian International Development Agency (CIDA) was supporting the implementation of the Beijing Platform for Action as part of its ongoing programming activities. Policy guidelines on women in development had been in place at CIDA since 1976.

The meeting rose at 1 p.m.